

**SUPREME COURT MINUTES
WEDNESDAY, OCTOBER 18, 2006
SAN FRANCISCO, CALIFORNIA**

S022224**PEOPLE v. STANLEY (DARREN C.)**

Opinion modified.

Petition for rehearing denied.

George, C. J., and Baxter, J., were absent and did not participate.

Corrigan, J., was recused and did not participate.

S022224**PEOPLE v. STANLEY (DARREN C.)**

Opinion modified - no change in judgment.

S145656

G036362 Fourth Appellate District, Div. 3

WILLIAMS (LERCY) v. S.C. (CITY OF ANAHEIM)

Petition for review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Garcia v. Superior Court*, S127432 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C. J., and Baxter, J., were absent and did not participate.

Votes: Werdegar, A.C.J., Kennard, Chin, Moreno, Corrigan, JJ.

S146570

B191064 Second Appellate District, Div. 6

ANDERSEN (JOHN) v. W.C.A.B. (CITY OF SANTA BARBARA)

Petition for review granted.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its summary denial and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

George, C. J., and Baxter, J., were absent and did not participate.

Votes: Werdegar, A.C.J., Kennard, Chin, Moreno, JJ.

S104807**COFFMAN (CYNTHIA) ON H.C.**

The petition for writ of habeas corpus, filed March 1, 2002, is denied.

Each claim is denied on the merits.

Subclaims 1 through 6 of Claim XIV are procedurally barred, separately and independently, because they could have been, but were not, raised on appeal. (See *In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3, 828-841; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

Subclaims 1 through 4 of Claim XVII are procedurally barred, separately and independently, because they could have been, but were not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

Claim XIX is procedurally barred, separately and independently, as repetitive of claims raised and rejected on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 829-841; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

Claim XX is procedurally barred, separately and independently, because it could have been, but was not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

Claim XXI (except to the extent it alleges ineffective assistance of counsel) is procedurally barred, separately and independently, because it could have been, but was not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

Claim XXIII is procedurally barred, separately and independently, because it could have been, but was not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

Subclaims 4, 6, 7, 10, and 22 of Claim XXIV are procedurally barred, separately and independently, because they could have been, but were not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at p. 759.) The portion of subclaim 23 regarding the trial judge's public support for the incumbent running for reelection of Claim XXIV is procedurally barred, separately and independently, as repetitive of claims raised and rejected on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 829-841; *In re Waltreus*, supra, 62 Cal.2d at p. 225.)

Claim XXV is procedurally barred, separately and independently, as repetitive of claims raised and rejected on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 829-841; *In re Waltreus*, supra, 62 Cal.2d at p. 225.)

Claim XXVI is procedurally barred, separately and independently, because it could have been, but was not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

Claim XXVII is procedurally barred, separately and independently, because it could have been, but was not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

Subclaims 8, and 10 through 15 of Claim XXVIII are procedurally barred, separately and independently, because they could have been, but were not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

Claim XXIX (except to the extent it alleges ineffective assistance of counsel) is procedurally barred, separately and independently, because it could have been, but was not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

Claim XXXVIII is procedurally barred, separately and independently, because it could have been, but was not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

Claim XXXIX is procedurally barred, separately and independently, because it could have been, but was not, raised on appeal. (See *In re Harris*, supra, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon*, supra, 41 Cal.2d at p. 759.)

George, C. J., and Baxter, J., were absent and did not participate.

S143981**KELLY (HORACE E.) ON H.C.**

Petition for writ of habeas corpus filed on June 2, 2006, is denied on the merits.

George, C. J., and Baxter, J., were absent and did not participate.

S145327 E038321/E039572 Fourth Appellate District, Div. 2 PEOPLE v. KANEHE (HOWARD K.)

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S145402

C050058 Third Appellate District

PEOPLE v. RENNIE (WILLIAM R.)

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S145416 C049222 Third Appellate District **PEOPLE v. HAFF (MATTHEW D.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145421 B166126 Second Appellate District, Div. 7 **PEOPLE v. WILLIAMS (RANDALL B.)**
Petitions for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145437 B179596 Second Appellate District, Div. 2 **PEOPLE v. CISNEROS (JESUS)**
Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.
George, C. J., and Baxter, J., were absent and did not participate.

S145441 F050419 Fifth Appellate District **LAZARO (ADELFO) ON H.C.**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S145493 A104363 First Appellate District, Div. 4 **PEOPLE v. SCHOPPE-RICO (JOHN M.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145507 B181966 Second Appellate District, Div. 8 **PEOPLE v. JENKINS (MARK)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145570 B190474 Second Appellate District, Div. 4 **ZURICH U.S. v. W.C.A.B. (HABLIAN)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.
Werdegar, A. C. J., was recused and did not participate.

S145578 F046874 Fifth Appellate District **PEOPLE v. LOBRETTO (TIMOTHY A.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145587 H028073 Sixth Appellate District **PEOPLE v. LEGRANDE (REYES)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145593 H025445 Sixth Appellate District **PEOPLE v. RISTAU (STEVEN A.)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law. George, C. J., and Baxter, J., were absent and did not participate.

S145602 E040903 Fourth Appellate District, Div. 2 **JONES (STEVE L.) ON H.C.**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145615 C052799 Third Appellate District **EXXON MOBIL CORPORATION v. S.C. (D. J. NELSON TRUST)**
Applications to appear pro hac vice granted.
Petitions for review denied.
George, C. J., was absent and did not participate.
Kennard, Baxter, Chin and Corrigan, JJ., were recused and did not participate.

S145625 E040907 Fourth Appellate District, Div. 2 **BROWN (TERRY) ON H.C.**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145629 F047086 Fifth Appellate District **PEOPLE v. POWERS (KENNETH W.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145632 G034291 Fourth Appellate District, Div. 3 **PEOPLE v. EOM (HYO Y.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law. George, C. J., and Baxter, J., were absent and did not participate.

S145655 B181857 Second Appellate District, Div. 7 **SHEPPARD MULLIN RICHTER & HAMPTON v. S.C. (CLAREY)**
Appellants' "Motion to File under Seal References in their Petition for Review to Sealed Records" is denied. Real Parties in Interest's "Motion to File the Unredacted Version of their Answer to Petition for Review Under Seal" is denied. The Clerk's Office is directed to file the redacted versions of the petition for review and answer, and to return the unredacted versions of the petition for review and answer to the respective parties pursuant to California Rules of Court, rule 12.5, subdivision (e)(7).
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145664 A097996 First Appellate District, Div. 4 **PEOPLE v. RIDER (VANCE L.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145692 B192092 Second Appellate District, Div. 3 **GRANT (RALPH) ON H.C.**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145783 E040940 Fourth Appellate District, Div. 2 **HEATH (JOHN) v. S.C. (PEOPLE)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145805 B178171 Second Appellate District, Div. 7 **PEOPLE v. NEWBURN (CALVIN)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145838 A105385 First Appellate District, Div. 5 **PEOPLE v. SANDERS (RICKY R.)**
Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.
George, C. J., and Baxter, J., were absent and did not participate.

S145879 B181680 Second Appellate District, Div. 5 **PEOPLE v. GUERRA (PEDRO O.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145911 A111147 First Appellate District, Div. 1 **PEOPLE v. LEE (ANTONE L.)**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S145915 F046345 Fifth Appellate District **PEOPLE v. NIETO (JOSEPH S.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S145916 E041024 Fourth Appellate District, Div. 2 **RODRIGUEZ (MICHAEL J.) ON H.C.**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S145932 E041035 Fourth Appellate District, Div. 2 **MUELLER (RALPH) ON H.C.**

Petition for review denied.

George, C. J., and Baxter, J. were absent and did not participate.

S145979 B182215 Second Appellate District, Div. 8 **PEOPLE v. RODRIGUEZ (VICTOR)**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S145989 A109572 First Appellate District, Div. 3 **BOWLES (HAROLD) v. U.C. REGENTS**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146024 C050165 Third Appellate District **PEOPLE v. MCLANE (BARNEY W.)**

Petition for review denied.

George, C. J., and Baxter, J. were absent and did not participate.

S146042 B183779 Second Appellate District, Div. 6 **PEOPLE v. FURNESS (TIMOTHY T.)**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146053 C051080 Third Appellate District **PEOPLE v. STANNER (SHAUN)**

Petition for review denied.

George, C. J., and Baxter, J. were absent and did not participate.

S146134 B182251 Second Appellate District, Div. 4 **EL-ATTAR (OSMAH) v. TENET
HEALTHSYSTEM QA INC.**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146256 E037275 Fourth Appellate District, Div. 2 **PEOPLE v. PICHEL (LYNDA)**

Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

George, C. J., and Baxter, J. were absent and did not participate.

S146267 E038855 Fourth Appellate District, Div. 2 **PEOPLE v. SEGURA (RUFINO)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

George, C. J., and Baxter, J. were absent and did not participate.

S146341 B187987 Second Appellate District, Div. 8 **PEOPLE v. THOMPSON (CURTIS L.)**

Petition for review denied.

George, C. J., and Baxter, J. were absent and did not participate.

S146456 A114521 First Appellate District, Div. 4 **HEIM (HAROLD) v. W.C.A.B.**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146458 E037948 Fourth Appellate District, Div. 2 **PEOPLE v. ESCOBEDO (ISRAEL)**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146464 C053469 Third Appellate District **MATTHEWS (LANCE) v. S.C. (PEOPLE)**

Petition for review denied.

George, C. J., and Baxter, J. were absent and did not participate.

S146466 C053441 Third Appellate District **PEOPLE v. JOHN-CHARLES (CURTIS M.)**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146467 B186735 Second Appellate District, Div. 6 **MALIK, MARRIAGE OF**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146469 H028744 Sixth Appellate District **PEOPLE v. AMAYA (DONALD D.)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

George, C. J., and Baxter, J., were absent and did not participate.

S146473 E038186 Fourth Appellate District, Div. 2 **PEOPLE v. JONES (TIMOTHY L.)**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146480 E041122 Fourth Appellate District, Div. 2 **JONES (LEANDER L.) ON H.C.**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146492 B193284 Second Appellate District, Div. 7 **HARE (DANNY) ON H.C.**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate..

S146495 G034668 Fourth Appellate District, Div. 3 **STANDARD FIRE INSURANCE
COMPANY v. SPECTRUM COMMUNITY
ASSOCIATION**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146499 C053170 Third Appellate District **MESKU (LOUISE) v. W.C.A.B.
(REDLANDS UNIFIED SCHOOL
DISTRICT)**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146500 C048191 Third Appellate District **PEOPLE v. CASTANEDA (JUAN M.)**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146502 A114535 First Appellate District, Div. 2 **PRUITT (WILLIAM B.) ON H.C.**

Petition for review denied.

George, C. J., and Baxter, J. were absent and did not participate.

S146505 B186790 Second Appellate District, Div. 6 **KNERR (KRISTIE) v. MAULDIN (PAULA
A.)**

Petition for review denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146508 B185479 Second Appellate District, Div. 4 **PEOPLE v. VILLELA (JAVIER)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v.*

Washington (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

George, C. J., and Baxter, J. were absent and did not participate.

S146509 E037477 Fourth Appellate District, Div. 2 **PEOPLE v. WILLIAMS (LATASHA D.)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v.*

Washington (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

George, C. J., and Baxter, J. were absent and did not participate.

S146515 A110047 First Appellate District, Div. 1 **S., MARRIAGE OF**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146517 G035664 Fourth Appellate District, Div. 3 **SOSA (SUSAN) v. SOUTHERN
CALIFORNIA PERMANENTE
MEDICAL GROUP**

Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.
Werdegar, A.C.J., was recused and did not participate.

S146523 F049051 Fifth Appellate District **PEOPLE v. SILVA (NORMAN J.)**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S146529 F049022 Fifth Appellate District **PEOPLE v. SANDOVAL (ANTHONY P.)**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S146530 B184263 Second Appellate District, Div. 5 **PEOPLE v. CARRUTH (LEV)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate..

S146534 E041117 Fourth Appellate District, Div. 2 **JOHNSON (JAMAL H.) ON H.C.**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146536 H028959 Sixth Appellate District **TURNER (CHRISTIAN) v. EQUITY
RESIDENTIAL PROPERTIES**

Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146539 B187420 Second Appellate District, Div. 4 **PEOPLE v. DOMINGUEZ (JESUS D.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146543 D047418 Fourth Appellate District, Div. 1 **PEOPLE v. GRIGGS (KIMBERLY L.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.
George, C. J., George and Baxter, J., were absent and did not participate.

S146544 B184184 Second Appellate District, Div. 5 **PEOPLE v. PLACENCIA (RICHARD D.)**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S146545 F048271 Fifth Appellate District **PEOPLE v. REYES (JESSIE J.)**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S146548 F048370 Fifth Appellate District **PEOPLE v. HEFNER (BRENDA D.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146562 B186708 Second Appellate District, Div. 5 **WILSON (MARUJA) v. MANAVI (LOUISE D.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146569 B182722 Second Appellate District, Div. 2 **ALLEN (CAROLINE) v. LONG BEACH, CITY OF**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146573 D046251 Fourth Appellate District, Div. 1 **PEOPLE v. FREEMAN (TODD)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146575 E037601 Fourth Appellate District, Div. 2 **PEOPLE v. BLAZE (NATHANIEL)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146577 F048915 Fifth Appellate District **PEOPLE v. FELIX (DAVID P.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.
George, C. J., and Baxter, J., were absent and did not participate.

S146589 C049628 Third Appellate District **PEOPLE v. HALL (MICHAEL A.)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146594 E037747 Fourth Appellate District, Div. 3 **PEOPLE v. AGUILAR (EDWARD)**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146595 A109505 First Appellate District, Div. 2 **PEOPLE v. PERKINS (RANDY E.)**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S146607 D046815 Fourth Appellate District, Div. 1 **PEOPLE v. SLINEY (WARREN E.)**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S146653 F049297 Fifth Appellate District **PEOPLE v. MILES (TYRONE W.)**
Petition for review denied.
George, C. J., and Baxter, J. were absent and did not participate.

S146746 F050456 Fifth Appellate District **SIMAS (JUDY) v. W.C.A.B**
Petition for review denied.
George, C. J., and Baxter, J., were absent and did not participate.

S135800 **MAYFIELD (WILLIAM B.) ON H.C.**
Petition for writ of habeas corpus denied.
George, C. J., and Baxter, J., were absent and did not participate.

S140504 **SHAW (VERNON) ON H.C.**
Petition for writ of habeas corpus denied.
George, C. J., and Baxter, J., were absent and did not participate.

S141090**EDMUND (ANDRE) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S141094**WARD (CRAIG A.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C.J., and Baxter, J., were absent and did not participate.

S141144**ESTABAN (NICHOLAS M.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

George, C. J., and Baxter, J., were absent and did not participate.

S141190**PROEUNG (VICHETH) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S141247**NOBLE (WILBERT) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S141248**SMITH (STANFORD) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

George, C. J., and Baxter, J., were absent and did not participate.

S141267**MILLER (LAURENCE L.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

George, C. J., and Baxter, J., were absent and did not participate.

S141277**TORRES (RENE) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

George, C. J., and Baxter, J., were absent and did not participate.

S141285**BARTOSH (BRIAN) ON H.C.**

Petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

George, C. J., and Baxter, J., were absent and did not participate

S141350**MONEY (MICHAEL R.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S141387**GREGGE (LORENZO) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S141400**MILLER (KEITH) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C. J., and Baxter, J., were absent and did not participate.

S141402**ROBINSON (WHITT D.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C. J., and Baxter, J., were absent and did not participate.

S141405**NGUYEN (DUNG H.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S141531**JOHNSON (WILLIAM E.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S142492**RAMEY (JOHNNY) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S142668**HAWKINS (LEONARD W.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S145187**MONCADA (MARCELO E.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S145331**KANEHE (HOWARD) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S145583**FLETCHER (GORDON) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)

George, C. J., and Baxter, J., were absent and did not participate.

S146254**UPTON (ANDREW T.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146372**PIERCE (SEBREN A.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)

George, C. J., and Baxter, J., were absent and did not participate.

S146609**LOGAN (JAMES D.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146623**GRIMES (JEROME) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146624**MCCREARY (BRUCE C.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146635**KIRBY (ROBERT L.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)

George, C. J., and Baxter, J., were absent and did not participate.

S146662**FIELD (MARSHALL L.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146685**JORDAN (EDDIE T.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C. J., and Baxter, J., were absent and did not participate.

S146770**REDD (PAUL A.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

George, C. J., and Baxter, J., were absent and did not participate.

S146893**DIAL (EDWIN M.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S147006**MISOUK (RANDY) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S147048**MUHAMMAD (EFREM) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S147065**COLLIER (TRACY) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

George, C. J., and Baxter, J., were absent and did not participate.

S147118**LEWIS (JERRY) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S147144**GARCIA (SANTIAGO F.) ON H.C.**

Petition for writ of habeas corpus denied.

George, C. J., and Baxter, J., were absent and did not participate.

S145878

C049472 Third Appellate District

**WITTE (THOMAS M.) v. KAUFMAN
(JAMES)**

The request for an order directing depublication of the opinion in the above-entitled appeal are denied.

George, C. J., and Baxter, J., were absent and did not participate.

S146032	B187350 Second Appellate District, Div. 6	MARIA VISTA ESTATES v. PUGLISI (STEVEN)
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The request for an order directing depublication of the opinion in the above-entitled appeal is denied. George, C. J., and Baxter, J., were absent and did not participate.

S146110 B187215 Second Appellate District, Div. 1 **A. (RYAN), IN RE**
The requests for an order directing depublication of the opinion in the above-entitled appeal is denied.
George, C. J., and Baxter, J., were absent and did not participate.

S146579	B189560 Second Appellate District, Div. 7	BLUM (BARRY) v. S.C. (COPLEY PRESS INCORPORATED)
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The requests for an order directing depublication of the opinion in the above-entitled appeal are denied. George, C. J., and Baxter, J., were absent and did not participate.

S054372 **PEOPLE v. ERVINE (DENNIS N.)**
Good cause appearing, and based upon Deputy Attorney General Laura Wetzel Simpton's representation that she anticipates filing the respondent's brief by January 31, 2007, counsel's request for an extension of time in which to file that brief is granted to December 29, 2006. After that date, only one further extension totaling 33 additional days is contemplated.

S084996 **PEOPLE v. CHHOUN (RUN P.)**
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 22, 2006.

S040704

PEOPLE v. JOHNSEN (BRIAN D.)

The application of appointed appellate counsel for permission to withdraw as attorney of record for appellant Brian David Johnsen, filed October 2, 2006, is denied.

On the court's own motion, the order appointing Richard P. Stookey as appellate counsel of record for appellant Brian David Johnsen, filed July 13, 1998, is hereby vacated.

Neoma D. Kenwood is hereby appointed to represent appellant Brian David Johnsen for the direct appeal in the above automatic appeal now pending in this court. Stookey is hereby directed to deliver to Ms. Kenwood, within 30 days from the filing of this order, all case transcripts, case files, appellate and habeas corpus investigation work product, trial files, investigation reports, 60-day confidential status reports, and related materials that he has obtained from appellant or his trial counsel, paralegals, experts and investigators, or from any other source.

George, C. J., and Baxter, J., were absent and did not participate.

S040704**PEOPLE v. JOHNSEN (BRIAN D.)**

In conjunction with the order filed this day vacating the appointment of Richard P. Stookey to serve as appellate counsel of record for appellant Brian David Johnsen in the above pending automatic appeal, Stookey is hereby ordered to reimburse the court the sum of \$51,400, subject to his ability to demonstrate to the court that he should be credited, as appropriate, for appellate "work performed that is determined by the court to be of value to the court." (See "Payment Guidelines for Appointed Counsel Representing Indigent Criminal Appellants in the California Supreme Court," guideline V ["Court Action Upon Nonperformance of Work, and Reimbursement of Fees Upon Authorized Withdrawal of Appointed Counsel"], subpt. B.) George, C. J., and Baxter, J., were absent and did not participate.

S134332**GUERRA (JOSE F.) ON H.C.**

Pursuant to petitioner's request filed on October 17, 2006, petitioner's exhibit no. 186 is ordered withdrawn.

S140011**KIRKPATRICK (THOMAS L.) ON H.C.**

The order filed on September 27, 2006, denying the petition for writ of habeas corpus is amended to reflect the title above.

S141502**GENTRY (ROBERT) v. S.C. (CIRCUIT CITY STORES)**

The order filed October 10, 2006, is hereby amended to read as follows:

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply brief on the merits and petitioner's opposition to the request for judicial notice is extended to November 13, 2006.

S147342**FAULDER (KEITH A.) v. BOARD OF SUPERVISORS**

The above-entitled matter is transferred to the Court of Appeal, First Appellate District. George, C. J., was absent and did not participate.

S145904**WHITE ON DISCIPLINE**

It is ordered that **SERGIO A. WHITE, State Bar No. 146830**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4 (c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 1, 2006. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S145905**RODRIGUEZ ON DISCIPLINE**

It is ordered that **Rosemary Rodriguez, State Bar No. 64529**, be suspended from the practice of law for six months, that execution of the suspension be stayed, and that she be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 25, 2006. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the next two billing cycles. It is further ordered that if Rosemary Rodriguez fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S145907**KAPLAN ON DISCIPLINE**

It is ordered that **STEVE I. KAPLAN, State Bar No. 71418**, be suspended from the practice of law for two years and until he provides proof to the satisfaction of the State Bar Court of rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including nine months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 7, 2006. Credit toward the period of actual suspension must be given for the period of interim suspension that commenced on April 10, 2006. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* It is ordered that costs be awarded to the State Bar in accordance with Business & Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the years 2007 and 2008. It is further ordered that if respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S147289**BURGESS ON RESIGNATION**

The voluntary resignation of **JEFFREY CHARLES BURGESS, State Bar No. 137292**, as a member of the State Bar of California is accepted.

S147293**CHRISTIAANSEN ON RESIGNATION**

The voluntary resignation of **GAYNOR CHRISTIAANSEN, State Bar No. 131936**, as a member of the State Bar of California is accepted.

S147295**GALLAGHER ON RESIGNATION**

The voluntary resignation of **SEAN MICHAEL GALLAGHER, State Bar No. 92173**, as a member of the State Bar of California is accepted.

S147296

INGOLD ON RESIGNATION

The voluntary resignation of **DAVID PHILLIP INGOLD**, **State Bar No. 145290**, as a member of the State Bar of California is accepted.

S147297

SHULMAN ON RESIGNATION

The voluntary resignation of **RAND NORMAN SHULMAN**, **State Bar No. 45946**, as a member of the State Bar of California is accepted.

S147298

TIERNEY ON RESIGNATION

The voluntary resignation of **BARBARA LYNN TIERNEY**, **State Bar No. 163999**, as a member of the State Bar of California is accepted.

S147299

PORTER ON RESIGNATION

The voluntary resignation of **MAURICE RICHARD PORTER**, **State Bar No. 189231**, as a member of the State Bar of California is accepted.

